

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

UNITED STATES OF AMERICA )  
VS. ) CRIMINAL NO. 2:05-CR-119-F  
DON EUGENE SIEGELMAN, )  
PAUL MICHAEL HAMRICK, )  
GARY MACK ROBERTS, and )  
RICHARD M. SCRUSHY. )

## **MOTION FOR TRAVEL OUT OF COUNTRY**

Comes now Gary Mack Roberts, a defendant in the above-styled matter, by and through his undersigned counsel and seeks permission from this Honorable Court to allow him to travel outside the country for business purposes. As grounds for and in support of his motion defendant states as follows:

1. The defendant is presently released pending the trial of this matter.
2. The defendant needs to travel to Brazil on important business related matters. The defendant will be traveling to Brazil to inspect products utilized by his company and to negotiate next year's supply of product. The defendant is the only one capable of engaging in such activities on behalf of his company. If approved, the defendant would leave Monday, November 28<sup>th</sup> and return on Friday, December 2<sup>nd</sup>, 2005.
3. The defendant was not required to turn in his passport as a condition of his release.
4. This motion is made pursuant to 18 U.S.C. §3142 which provides that the defendant should be subjected to the "least restrictive" conditions which will "reasonably assure" the appearance of the defendant. Given the defendant's character, family and community ties, length of residence in the community, lack of any criminal history, the fact that he is not a threat to the

safety of any person and his record concerning his appearances at court proceedings, this motion is due to be granted.

5. The undersigned counsel has contacted the U.S. Probation office and the United States Attorney's office and neither of them have any objection to this motion being granted.

Wherefore, defendant moves this Court to enter an order which authorizes him to travel to Brazil from November 28<sup>th</sup> until December 2<sup>nd</sup>, 2005, with whatever conditions the Court deems appropriate.

Respectfully submitted this the 10<sup>th</sup> day of November, 2005.

/s/ David McKnight

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 10, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: 1) Charles Redding Pitt, Esq.; 2) Douglas Jones, Esq.; 3) Henry Lewis Gillis, Esq.; 4) Leslie Vernon Moore, Esq.; 5) Ronald W. Wise, Esq. and 6) Louis V. Franklin, Esq.

/s/ David McKnight

Of Counsel